

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-028-C - ORDER NO. 92-300
APRIL 24, 1992

IN RE: Application of Robert Cefail &)	
Associates American Inmate)	
Communications, Inc. for a)	
Certificate of Public Convenience)	ORDER GRANTING
and Necessity to operate as a)	MOTION TO COMPEL
reseller of telecommunications)	AND GRANTING
services, including operator)	CONTINUANCE
services, within the State of)	
South Carolina.)	

This matter is before the Public Service Commission of South Carolina (the Commission) on Pay-Tel Communications, Inc.'s (Pay-Tel's) Motion to Compel Robert Cefail & Associates American Inmate Communications, Inc. (Cefail) to fully answer its first set of interrogatories. Additionally, Pay-Tel requests the Commission continue the hearing scheduled for April 15, 1992.

Pay-Tel asserts that on March 30, 1992, it received Cefail's responses to its first set of interrogatories. Pay-Tel contends Cefail failed to respond to interrogatories 1-1, 1-2, 1-3, 1-4, and 1-6 and that the information requested by these interrogatories directly relates to Cefail's fitness to provide prison telephone service. Pay-Tel asserts that Cefail's responses to these five

interrogatories are vital to its decision to either file or not file testimony.¹ Pay-Tel contends Cefail should be compelled to answer these five interrogatories and that the April 15, 1992 hearing should be continued to allow the parties sufficient time to review Cefail's responses. In its response, Cefail asserts it has fully responded to Pay-Tel's interrogatories and that it would be damaged by any delay in the hearing.

The Commission concludes that it has the duty to balance the need to discover evidence regarding the Applicant's fitness and ability to provide the service for which it seeks authority and the Applicant's need for a timely hearing. In balancing these interests, the Commission finds that Pay-Tel's Motion to Compel should be granted and the hearing in this matter should be continued but set for the next available hearing date.


IT IS THEREFORE ORDERED:

1. Pay-Tel's Motion to Compel is granted. Accordingly, if Cefail has not yet fully responded to Pay-Tel's first set of interrogatories, it should do so by April 30, 1992.

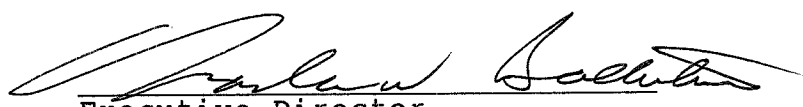
1. Pay-Tel's pre-filed testimony was due on April 3, 1992.

2. Pay-Tel's Motion for a Continuance is also granted. The Commission Staff is instructed to set the Cefail matter for hearing in as timely a manner as possible.

IT IS SO ORDERED.

VICE 
Chairman

ATTEST:


Executive Director

(SEAL)